BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

In the Matter of	)	
	)	
Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution and for Fixed Satellite Services	)	CC Docket No. 92-297
and	)	
Suite 12 Group Petition for Pioneer's Preference	)	PP-22

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REPLY COMMENTS ON THIRD NOTICE OF PROPOSED RULEMAKING

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October 10, 1995

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In the Matter of	)	
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REPLY COMMENTS ON THIRD NOTICE OF PROPOSED RULEMAKING

Loral Aerospace Holdings Inc. ("LAHI") respectfully submits its reply comments in response to comments filed in the Third Notice of Proposed Rulemaking released July 28, 1995 in the above-captioned proceeding.

LAHI submits these reply comments because the Fixed Point-to-Point Communications Section, Network Equipment Division of the Telecommunications Industry Association ("TIA") advocates that the Commission dedicate 500 MHz of the 28 GHz frequency band (i.e., 28.35-28.6 GHz and 29.25-29.5 GHz) to point-to-point microwave services on a shared, co-primary basis with FSS and MSS services. TIA argues that "such a plan would, unlike that proposed by the Commission, serve the public interest without

crippling the fixed microwave industry and ancillary service providers, and would not adversely affect the LMDS industry, nor the FSS and MSS industries, both of which have recognized the compatibility of their services with traditional microwave use."[1]

LAHI does not believe that terrestrial microwave services should share allocated spectrum on a co-primary basis with FSS. The amount of Ka-band spectrum proposed to be allocated nationwide for FSS use has already been reduced as part of this rulemaking. If the Commission concludes that an additional 500 MHz should be shared with terrestrial microwave users on a co-primary basis, LAHI believes that the resulting problems and concomitant increase in costs would seriously undermine the nascent broadband satellite services market.

First of all, LAHI does not accept TIA's assertion that FSS and fixed point-to-point microwave services will be compatible. There is a great risk that FSS and terrestrial microwave services are not compatible or would require, at a minimum, extraordinary technical coordination and concessions to allow both to operate on a co-primary basis. However, LAHI would not oppose a Commission decision to allow point-to-point terrestrial microwave users access to Ka-band spectrum on a secondary basis.

Secondly, terrestrial point-to-point microwave systems are flexible given that they use a relatively limited number of

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[1] TIA Comments at 14 (September 7, 1995). Harris Corporation's comments support TIA's positions in this rulemaking. Harris Corporation-Farinon Division Comments at 2 (September 7, 1995).

line-of-sight transceivers. The flexibility inherent in terrestrial point-to-point microwave services affords these systems the ability to use other parts of the frequency band more easily and at lower cost than satellite systems can. FSS, on the other hand, is a point-to-multipoint service that relies on a ubiquitous network of individual receivers. The viability of the proposed FSS systems is dependent upon the customers being able to gain access readily to the systems throughout their entire service areas.

Although fixed in location during operation, the FSS user transceivers will often be set up on short notice in many different areas. If terrestrial point-to-point microwave services are using the same spectrum as these FSS transceivers, the potential for service degradation or unavailability is great should the FSS user elect to set up their transceiver along a terrestrial microwave route. If the FCC were to allow terrestrial point-to-point microwave systems to use the same frequencies as FSS on a co-primary basis, it would undermine the ubiquitous nature of the proposed FSS services by effectively removing useable segments of its service area.

Satellite technology is uniquely able to provide high-quality, high-speed, ubiquitous digital communications capability to everyone within its service area. In order to provide these services, sufficient spectrum needs to be designated for satellite use. The Commission should not further strain capability by limiting spectrum allocations and requiring the

confining co-primary spectrum sharing arrangement TIA suggests. To do so would seriously undermine the technological benefits that satellite services can deliver and dissuade potential service providers from entering a satellite services market made uneconomical as a result of limited spectrum availability and overly burdensome coordination requirements.

For the reasons set out above, LAHI requests that the Commission conclude that terrestrial microwave services should not share Ka-band allocation spectrum on a co-primary basis with FSS.

Respectfully submitted,

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